

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**VIRNETX INC. AND  
SCIENCE APPLICATIONS  
INTERNATIONAL CORPORATION,**

**Plaintiffs,**

**v.**

**APPLE INC.**

**Defendant.**

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**Civil Action No. 6:10-cv-417**

**DEFENDANT APPLE INC.'S NOTICE OF APPEAL**

NOTICE IS GIVEN that Defendant Apple Inc. appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action on September 29, 2017 (Dkt. 1082) and from any and all orders, rulings, findings, and conclusions underlying and related to that judgment, including but not limited to the September 29, 2017 Memorandum Opinion and Order on the parties' post-trial motions (Dkts. 1079, 1086); the order denying various Apple motions (Dkt. 1078); the Jury Verdict (Dkt. 1025); the Final Jury Instructions (Dkt. 1021 and as read during trial); the Court's evidentiary rulings during trial; the Court's pre-trial evidentiary rulings and rulings on summary judgment (Dkts. 978, 999; Dkts. 362, 468 in Case No. 6:12-cv-00855<sup>1</sup>); and the Court's order denying Apple's motion to stay (Dkt. 978).

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<sup>1</sup> Case No. 6:10-cv-00417 and Case No. 6:12-cv-00855 were previously consolidated on March 30, 2015 (*see* Dkt. 878), but that order was vacated and the cases were severed for separate retrials on July 29, 2016 (*see* Dkt. 893).

Dated: October 27, 2017

Respectfully submitted,

By: /s/ Michael E. Jones

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on October 27, 2017.

/s/Michael E. Jones